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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,851	10/17/2003	Susan B. Cirulli	END920030048US1	9562
45092 7590 02/23/2009 HOFFMAN WARNICK LLC 75 STATE ST 14TH FLOOR ALBANY, NY 12207				
EXAMINER				
POND, ROBERT M				
ART UNIT		PAPER NUMBER		
3625				
NOTIFICATION DATE		DELIVERY MODE		
02/23/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com

## Office Action Summary

**Application No.**

10/687,851

**Applicant(s)**

CIRULLI ET AL.

**Examiner**

Robert M. Pond

**Art Unit**

3625

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

Applicants amended independent claims 1 and 4. Claims 10-31 were previously canceled. All pending claims 1-9 were examined in this non-final office action necessitated by new grounds of rejection.

### ***Response to Arguments***

Applicant's arguments, see Remarks, filed 17 November, with respect to the rejection(s) of claim(s) 1-9 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Viswanath (US 7,350,698) alone or Viswanath and Okada. Okada is withdrawn as the primary reference rendering arguments based on Okada moot. Applicants are reminded that twice rejected claims are eligible for appeal. Applicants are welcome to contact the Examiner for further discussion prior to determining prosecution direction.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**1. Claims 1-5 and 7-9 are rejected under 35 USC 102(e) as being anticipated by Viswanath (US 7,350,698).**

Viswanath teaches all the limitations of claims 1-5 and 7-9. For example, Viswanath discloses a purchase request approval system, method, and computer program product. See at least abstract. Viswanath further discloses:

- Regarding claim 1. logging an approver into an application used to make item requests; See at least Fig. 3; Figs. 76-8; col. 9, lines 17-20.
- Regarding claim 1. displaying by the application a view containing a set of item requests to the approver containing all item requests for which approval is requested from the approver, the set of item requests including a plurality of item requests from a plurality of requesters; See at least Fig. 8; col. 10, line 53-col 11, lines 6.
- receiving an approval determination for at least one of the set of item requests from the approver; See at least Fig. 8; Fig 9 (920); Fig. 10 (960); col. 10, line 53-col 11, lines 47.
- and updating an approver list corresponding to the at least one of the set of item requests based on the approval determination, wherein the receiving is adapted to receive a plurality of approval determinations from the approver simultaneously. (see at least Fig. 5; col. 8, line 18-col. 9, line16).
- Regarding claim 2. notes/remarks tab. See at least Fig. 8; col.
- Regarding claim 3. notes. See at least Fig. 8; col. 64-67.

- Regarding claim 4. See at least Fig 5; Fig. 8; Fig. 9; col. 8, line 18-col. 9, line16; col. 11, lines 7-30.
- Regarding claim 5. See at least abstract; col. 3, lines 29-37; col. 7, lines 1-8; col. 9, lines 27-39.
- Regarding claim 7. requisition status: notified (note: pending); approved, denied, skipped (note: pending), partially approved (pending). See at least Fig. 9; col. 9, lines 39-47.
- Regarding claim 8. See at least Fig. 5; Fig. 8; Fig. 9; col. 8, line 18-col. 9, line16; col. 11, lines 7-30.
- Regarding claim 9. See at least Fig. 9.

#### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

- 2. Claim 6 is rejected under 35 USC 103(a) as being unpatentable over Viswanath (US 7,350,698) in view of Okada (Paper #20080806-A, US 6,910,018).**

Viswanath discloses all the above as noted under the 102(e) rejection and teaches i) a requestor making a purchase request and one or more approvers involved in the approval process and ii) approvers knowing the status of a pending request and final disposition (e.g. approved, denied). Although

Viswanath does not mention notifying the requestor, Okada on the other hand teaches a system and methods of approving purchase requests, indicating status (e.g. "wait for approval", approved, rejected) (see at least abstract; col. 12; lines 54-60; col. 20, lines 26-27, 48), and further teaches communicating a result message to a requestor based on the approval determination. See at least Fig. 8; col. 6, lines 39-43; col. 20, lines 55-59. One of ordinary skill in the art at time the invention was made would have recognized that applying the known techniques of Okada to notify the requestor requiring approval the results of the approval would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the techniques of Okada to the teachings of Viswanath method of approving/denying purchase requests would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such data processing features into similar systems. Obviousness under 35 USC 103 in view of the Supreme Court decision *KSR International Co. vs. Teleflex Inc.*

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Pond/  
Primary Examiner, Art Unit 3625  
February 15, 2009